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# DECISION



THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D. C. 20548

FILE: B-212425, B-213106, DATE: April 24, 1984  
B-214722  
MATTER OF: TeQcom, Inc.

## DIGEST:

Requirement for prior certification that equipment be compatible with critical Department of Defense communications network and satisfy security requirements, where applicable, is reasonable restriction on competition. GAO recommends that protester's equipment be considered for certification testing.

TeQcom, Inc. (TeQcom), has filed a series of protests against communications equipment procurements conducted by the Army Materiel Development and Readiness Command (B-212425), the Defense Communications Agency (DCA) (B-213106), and the United States Coast Guard (USCG) (B-214722). In each of these protests, TeQcom challenges a requirement for prior certification that the equipment meet certain criteria. Because of this similarity, we are considering these protests together. TeQcom's most recent protest, involving the USCG acquisition, filed on March 22, 1984, is being decided without awaiting a report from the USCG.

We deny the protests, but recommend that the Army consider TeQcom's equipment for certification.

These procurements all involve the acquisition of communications devices known as Autodin Interface Devices (AIDs). Autodin is an acronym for the Automatic Digital Network, a critical part of the Department of Defense communications network. The AIDs act as controllers and communications conduits between Autodin and the connected terminals, printers, etc., allowing multiple devices to be linked to a single Autodin connection. DCA, as the agency responsible for Autodin, requires that equipment be certified as meeting categories I and III requirements before it may be used on the network. In addition, if a system will

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handle classified information, it must also have a category II certification. In each instance, the solicitation required that the AIDs have these three levels of certification, described generally as follows:

- Category I: Electrical testing. Assures that the equipment is electrically compatible with Autodin and peripheral devices, such as terminals.
- Category II: Emanations or "TEMPEST" testing. Assures that the equipment does not "leak" electronic signals or information.
- Category III: Operational testing. Extended "live" test to assure that the equipment and software is fully compatible with Autodin and peripherals. These tests must be conducted by a sponsoring agency.

At present, only two companies produce AIDs certified at all three levels. In the Army and DCA procurements, the solicitations limited the competition to these two companies; the USCG limits the competition to devices meeting the categories I, II and III criteria.

TeQcom manufactures four- and eight-port AIDs ("port" denotes a connection point for an external device such as a terminal; each of TeQcom's AIDs has two additional dedicated ports for the Autodin connection and for a printer) for which TeQcom has not received category III approval. As we understand it, TeQcom's eight-port AID also lacks category II approval. TeQcom contends that the requirement for prior certification in all three categories is unduly restrictive of competition and asserts that certification should be obtained as part of postaward acceptance testing.

TeQcom also asserts that in past procurements, the Army has taken actions, such as adding a requirement for a seventh port, in an effort to exclude TeQcom from the competition. TeQcom also states that Army officials offered to sponsor TeQcom's equipment for category III testing, but that "nothing came of it."

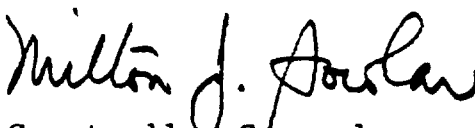
Initially, we note that the Army has challenged the timeliness under our Bid Protest Procedures, 4 C.F.R. part 21 (1983), of TeQcom's protest against the Army's procurement. We see no need to consider this question, however, since even if we were to find TeQcom's protest untimely with respect to that particular procurement, we would still have to consider the same contentions raised in the other protests.

We have held that the determination of the needs of the government and the means of accommodating those needs is primarily the function of the procuring agency. Radix II, Incorporated, B-211884, September 28, 1983, 83-2 CPD 375. We also have acknowledged that the procurement of critical items may be restricted to approved sources. Service & Sales, Inc., B-210137, May 16, 1983, 83-1 CPD 514. We will question an agency's determination of its minimum needs only if the protester clearly shows that the determination has no reasonable basis. Ven-Tel, Inc., B-212829.2, December 16, 1983, 83-2 CPD 697.

Despite TeQcom's suggestions to the contrary, we believe that DCA, as the agency responsible for Autodin, was reasonable in establishing the requirement for prior certification in an effort to assure the integrity of Autodin and the security of the information carried on that network. Consequently, we cannot object to DCA's requirement that AIDs be certified before being used on Autodin and, similarly, cannot object to the procuring agencies' requirements for prior certification as evidence of acceptability and compatibility with that network.

The protests are denied.

Notwithstanding our denial of these protests, however, we note that the Army has offered to sponsor TeQcom's AIDs for category III certification testing. We recommend that the Army consider such sponsorship at the earliest opportunity.

  
Acting Comptroller General  
of the United States